

May 20, 2010



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 11911
(NINTH REVISION)

EXPIRATION DATE: January 31, 2014

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Transfer Flow, Inc.
Chico, CA
2. PURPOSE AND LIMITATIONS:
 - a. This special permit authorizes the manufacture, marking, sale and use of non-DOT specification metal refueling tanks containing certain Class 3 liquids. The Class 3 liquids will be discharged from the refueling tanks without removing the refueling tanks from the vehicle on which they are transported. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use or other uses not associated with transportation in commerce.
 - c. Party status will not be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 177.834(h) in that the tank is unloaded while on a motor vehicle and § 178.700(c)(1) in that the size of the authorized package is less than 119 gallons.

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5. BASIS: This special permit is based on the application of Transfer Flow, Inc. dated February 12, 2010, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Diesel fuel	3	NA1993	III
Ethanol	3	UN1170	II, III
Flammable liquids, n.o.s. (with vapor pressure of less than 16 psia at 130°F)	3	UN1993	II, III
Fuel, aviation, turbine engine	3	UN1863	II, III
Gasoline	3	UN1203	II
Kerosene	3	UN1223	III
Methanol	3	UN1230	II
Gasohol gasoline mixed with ethyl alcohol, with not more than 20 percent alcohol	3	NA1203	II

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packagings are:

(1) Metal non-DOT specification refueling tanks constructed of aluminum, stainless steel or aluminized steel conforming with all the requirements for a DOT Specification UN31A or UN31B intermediate bulk container (IBC) except for water capacity. The size of the tank must not exceed 119 gallons;

(2) Metal non-DOT specification refueling tank with a recessed electric pump and optional fuel meter and fuel filter. The tank must be constructed of aluminum, stainless steel or aluminized steel conforming with all the requirements for a DOT Specification UN31A or UN31B IBC except for water capacity. The tank must be manufactured in accordance with Transfer Flow, Inc. drawings: 060-01-14003 dated December 28, 2009; 060-01-13228 dated September 25, 2008; 060-01-13996 dated December 28, 2009; 060-01-13999 dated December 28, 2009; 060-01-14001 dated December 28, 2009; 060-01-14005 dated December 28, 2009; 060-01-13658 dated December 28, 2009; 060-01-11443 dated March 19, 2007; 060-01-13801, dated June 5, 2007; 060-01-13534, dated March 23, 2007; 060-01-13723, dated March 23, 2007; 060-01-14110, dated March 12, 2008; 060-01-14651, dated May 1, 2009; 060-01-14824, dated December 1, 2009; 060-01-14830, dated November 13, 2009; 060-01-14885, dated January 18, 2010; or 060-01-14887, dated January 18, 2010, on file with the Office of Hazardous Materials Special Permits and Approvals (OHMSPA). In all configurations, the pump must be recessed below the upper level of the tank to provide protection to the pump; or

(3) Metal non-DOT specification tank used for dual applications - to feed fuel to a generator or as a refueling tank - constructed of aluminum, steel or aluminized steel conforming with all requirements for DOT Specification UN31A or UN31B IBC except for water capacity. The tank must be manufactured in accordance with Transfer Flow, Inc. drawings: 060-01-13690, dated September 25, 2008; 060-01-13345, dated March 16, 2009; or 060-01-13347, dated July 10, 2009, on file with OHMSPA.

(4) Each tank must be closed using gas caps manufactured in accordance with Transfer Flow, Inc. drawings: 070-GC-07802, dated July 6, 2005; 070-GC-31975, dated July 15, 2008; 070-GC-31885, dated February 10, 2010; or 070-GC-00081, dated February 8, 2010.

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b. TESTING - Each design type must meet the testing and certification requirements specified in § 178.803 for metal IBCs. IBCs manufactured and sold with the pump attached must be tested with the pump attached. Each tank must be periodically retested every 2.5 years in accordance with the requirements of § 180.352.

c. OPERATIONAL CONTROLS -

(1) Tanks must be attended at all times during loading and unloading operations by a qualified person. For the purposes of this requirement, "attended" and "qualified" must have the meanings described in § 177.834(i)(3) and (4), respectively.

(2) Hoses may be attached to discharge outlets during transportation provided the operator empties the contents of the hose by inverting the polarity of the attached pump and pumping from the hose into the tank for a minimum of 15 seconds.

(3) Tanks may not be manifolded together.

(4) Electrical power must be disconnected from the pump during transportation.

(5) Each tank must be marked and placarded in accordance with the requirements for IBCs.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.

- c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- d. Each packaging manufactured under the authority of this special permit must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Special Permits and Approvals for a specific manufacturing facility.
- e. A current copy of this special permit must be maintained at each facility where the package is manufactured under this special permit. It must be made available to a DOT representative upon request.
- f. A test report documenting satisfactory testing of IBCs manufactured and fitted with pumps (see the requirements of § 178.800) must be on file with OHMSPA prior to the sale of such IBCs.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
 - o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Dr. Magdy El-Sibaie
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

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Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: BJMoore/sln